

NEW DRUG SHIPPED WITHOUT EFFECTIVE APPLICATION

4421. *Enverm* syrup. U. S. v. 120 Cartoned Bottles * * *. (F. D. C. No. 36551. Sample No. 75369-L.)

LIBEL FILED: On or about May 5, 1954, District of Maryland.

ALLEGED SHIPMENT: On or about April 2, 1954, by the Manhattan Drug Co., from Brooklyn, N. Y.

PRODUCT: 120 cartoned bottles of *Enverm* syrup at Baltimore, Md.

LABEL, IN PART: (Carton and bottles) "*Enverm* Syrup For Pinworms Preservatives, Sodium Benzoate 0.1%, Methylparaben 0.1%. Each CC contains the equivalent of 100 mg. Piperazine Hexahydrate * * * 2 Fl. Ozs."

NATURE OF CHARGE: Section 505 (a), the article was a new drug within the meaning of the law, and an application filed pursuant to the law was not effective with respect to the article.

DISPOSITION: June 2, 1954. Default decree of condemnation and destruction.

DRUGS REQUIRING CERTIFICATE OR RELEASE, FOR WHICH NONE HAD BEEN ISSUED

4422. Misbranding of penicillin G potassium tablets. U. S. v. 9 Bottles * * *. (F. D. C. No. 36791. Sample No. 49667-L.)

LIBEL FILED: May 17, 1954, Eastern District of New York.

ALLEGED SHIPMENT: On or about March 1, 1954, by Morse Laboratories, Inc., from Hoboken, N. J.

PRODUCT: 9 100-tablet bottles of *penicillin G potassium tablets* in 1 carton at Brooklyn, N. Y.

LABEL, IN PART: (Carton) "Buffered Penicillin Tablets Crystalline G Potassium 200,000 units * * * Lot 3754 Expiration Date Feb."

NATURE OF CHARGE: Misbranding, Section 502 (1), the article purported to be and was represented as a drug composed in whole or in part of a kind of penicillin, and it was not from a batch with respect to which a certificate or release had been issued pursuant to the law.

DISPOSITION: June 22, 1954. Default decree of condemnation and destruction.

DRUG FOR VETERINARY USE

4423. Adulteration and misbranding of *Bact-A-Cin* ointment. U. S. v. 120 Tubes * * *. (F. D. C. No. 36819. Sample No. 46091-L.)

LIBEL FILED: June 2, 1954, District of New Jersey.

ALLEGED SHIPMENT: On or about May 13, 1954, from Fall River, Mass. This was a return shipment.

PRODUCT: 120 tubes of *Bact-A-Cin* ointment at Newark, N. J. Analysis showed that the product contained less than 85 percent of the declared penicillin potency.

LABEL, IN PART: (Tube) "One-Dose Rockland *Bact-A-Cin* Procaine Penicillin G and Dihydrostreptomycin with Bacitracin Ointment for the treatment of

Mastitis For Veterinary Use Only Contains Procaine Penicillin G
300,000 units Dihydrostreptomycin (as sulfate) 50 mg. Bacitracin
5,000 units In a suitable Ointment Base * * * Lot No. 1 Exp. Date March
1955."

NATURE OF CHARGE: Adulteration, Section 501 (c), the strength of the article differed from that which it purported and was represented to possess.

Misbranding, Section 502 (f) (1), the labeling of the article failed to bear adequate directions for use; and, Section 502 (1), the article purported to be and was represented as a drug composed in whole or in part of a kind of penicillin, and it was not from a batch with respect to which a certificate or release had been issued pursuant to the law.

DISPOSITION: September 21, 1954. Default decree of condemnation and destruction.

VIOLOSATIVE SALES OF PRESCRIPTION DRUGS

4424. Misbranding of secobarbital sodium capsules, amphetamine sulfate tablets, methyltestosterone tablets, and capsules containing a mixture of secobarbital sodium and amobarbital sodium. U. S. v. James E. Neels. Plea of guilty. Fine \$400. (F. D. C. No. 35789. Sample Nos. 62439-L, 62440-L, 63045-L, 63046-L.)

INFORMATION FILED: March 1, 1954, Eastern District of Missouri, against James E. Neels, a pharmacist for Neels Drugs, St. Louis, Mo.

NATURE OF CHARGE: On or about August 31, September 17, and October 8, 1953, while a number of *secobarbital sodium capsules, amphetamine sulfate tablets, methyltestosterone tablets, and capsules containing a mixture of secobarbital sodium and amobarbital sodium* were being held for sale at Neels Drugs, after shipment in interstate commerce, the defendant caused various quantities of the drugs to be dispensed upon requests for refills of written prescriptions therefor without obtaining authorization by the prescriber. Such acts of dispensing were contrary to Section 503 (b) (1), and resulted in the dispensed drugs being misbranded while held for sale.

DISPOSITION: March 12, 1954. The defendant having entered a plea of guilty, the court fined him \$400.

4425. Misbranding of pentobarbital sodium capsules. U. S. v. Jack I. Lipson. Plea of nolo contendere. Fine, \$300. (F. D. C. No. 35119. Sample Nos. 62245-L, 62246-L.)

INFORMATION FILED: March 16, 1954, Eastern District of Arkansas, against Jack I. Lipson, a pharmacist for the Owl Drug Store, West Memphis, Ark.

NATURE OF CHARGE: On or about October 12 and 20, 1952, while a number of pentobarbital sodium capsules were being held for sale at the Owl Drug Store, after shipment in interstate commerce, the defendant caused a number of capsules of the drug to be dispensed without a prescription from a practitioner licensed by law to administer such drug. Such acts of dispensing were contrary to Section 503 (b) (1), and resulted in the dispensed drug being misbranded while held for sale.

DISPOSITION: March 16, 1954. The defendant having entered a plea of nolo contendere, the court fined him \$300.